

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re
FTX Trading Ltd., et al.,
Debtors.¹

Chapter 11
Case No. 22-11068-JTD
(Jointly Administered)
Re: 1324
Objection Deadline:
September 27, 2023 at 4:00 p.m. (ET)
Hearing Date:
October 19, 2023 at 1:00 p.m. (ET)

**MEDIA INTERVENORS’ OBJECTIONS TO THE SECOND JOINT MOTION
OF THE DEBTORS AND THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS FOR AN ORDER AUTHORIZING THE MOVANTS TO REDACT OR
WITHHOLD CERTAIN CONFIDENTIAL INFORMATION OF CUSTOMERS**

Media Intervenor Bloomberg L.P., Dow Jones & Company, Inc., The New York Times Company, and The Financial Times Ltd (together “Media Intervenor”), hereby object to the joint motion of the Debtors and the Official Committee of Unsecured Creditors (the “Official Committee”) (together “Movants”) for an order authorizing them to continue to redact the names, addresses, and e-mail address of all of Debtors’ customers—including, specifically, entities and institutional creditors who were also Debtors’ customers—from any filings with the Court or made publicly available in these Chapter 11 cases for an additional 90 days. D.I. 2508.²

¹ FTX Trading Ltd.’s and Alameda Research LLC’s tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these Chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

² Media Intervenor dispute that Movants were not required to give them notice of this motion. Movants’ failure to notify Media Intervenor, and contention that “in light of the nature of the relief requested, no other or further notice need be provided[.]” D.I. 2508 ¶ 26, is both puzzling and problematic given that that Media Intervenor have consistently objected to the relief sought

BACKGROUND

1. The background relevant to these objections is more fully set forth in Media Intervenor’s prior filings in this matter, *see* D.I. 196, D.I. 1226; D.I. 1406, which are incorporated by reference herein. In brief:

2. Media Intervenor’s sought to intervene in these Chapter 11 cases for the limited purpose of opposing the redaction of the names of Debtors’ creditors in court filings. *See* D.I. 196. On December 19, 2022, the Court granted Media Intervenor’s motion to intervene. D.I. 255.

3. On June 15, 2023—over the objections of Media Intervenor’s, D.I. 1406, and the U.S. Trustee—this Court entered an order granting in part and denying in part Movant’s joint motion, D.I. 1324, for an ‘Order Authorizing the Movants to Redact or Withhold Certain Confidential Information of Customers and Personal Information of Individuals.’ D.I. 1643. The June 15 Order authorized Movant: (1) pursuant to § 107(b)(1), to continue to “redact the names, addresses and e-mail addresses of all of the Debtors’ customers from all filings with the Court or made publicly available in these Chapter 11 Cases” in “which disclosure would indicate the status of such person or entity as a customer” for an additional 90 days, and allowing any party to seek further extension of that time period; and (2) pursuant to § 107(c)(1), “to permanently redact the names of all customers who are natural persons from all filings with the Court or made publicly available in these Chapter 11 Cases in which disclosure would indicate such person’s status as a customer.” D.I. 1643 ¶¶ 2, 4.

4. On June 22, 2023, Media Intervenor’s timely appealed the June 15 Order. D.I. 1688. That appeal is pending in the United States District Court for the District of Delaware. *See*

(as Movant’s note, D.I. 2508 ¶14), and have a pending appeal addressing the redaction/withholding of customer-creditor names.

Bloomberg L.P., et al. v. FTX Trading Ltd., et al., Civil Action No. 23-682-CFC (D. Del.).

ARGUMENT

5. For the reasons set forth in their prior filings, which are expressly incorporated by reference herein, Media Intervenors object to Movants' request that they be permitted to continue to redact the names of Debtors' creditors who were also customers of Debtors' exchanges from all filings in these Chapter 11 cases for an additional 90 days. *See* D.I. 196, D.I. 1226; D.I. 1406.

6. Moreover, Movants offer no new evidence, whatsoever, in support of their motion. Media Intervenors respectfully submit that simply stating discussions with third parties are "ongoing," D.I. 2508 ¶1, is not a sufficient basis for an extension of the redaction deadline.

For the foregoing reasons, Media Intervenors respectfully request that the Court deny Movants' motion.

Respectfully submitted,

Dated: September 26, 2023

/s/ David L. Finger

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CERTIFICATE OF SERVICE

I, David L. Finger, hereby certify that on this 26th day of September, 2023, in accordance with Del. Bankr. Local Rule 9036-1(b), I caused the foregoing Media Intervenor's Objections To The Second Joint Motion Of The Debtors And The Official Committee Of Unsecured Creditors For An Order Authorizing The Movants To Redact Or Withhold Certain Confidential Information Of Customers via CM/ECF upon the below-listed counsel and parties of record:

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